

Number XXXXX460, by reason of the death of the Annuitant; and (2) a check in the amount of \$33,187.56, plus applicable interest, representing the death benefit payable under NYLIAC Annuity Policy Number XXXXX198, by reason of the death of the Annuitant.

WHEREFORE, Plaintiff, New York Life Insurance and Annuity Corporation, requests that the Court grant this Motion, permit NYLIAC to deposit the Death Benefits payable under the Annuity Policies as a result of the death of Annuitant into the registry of this Court, and grant NYLIAC all other and further relief to which it may be justly entitled.

Respectfully submitted,

/s/ Linda G. Moore

Linda G. Moore
State Bar No. 14359500
ESTES THORNE & CARR PLLC
3811 Turtle Creek Blvd. Suite 2000
Dallas, Texas 75219
(214) 599-4000
(214) 599-4099 (telecopy)
lmoore@estesthornecarr.com

*Counsel for Plaintiff New York Life Insurance
And Annuity Corporation*